

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

GEORGE IVERSON, Individually,

Plaintiff,

v.

NEWPORT HOTEL GROUP, LLC, and
JON E COHEN, DOUGLAS D. COHEN
and RENEE COHEN, as Trustees of
Hyannis Harborview Resort
Condominium Trust,

Defendants.

Case Number:04-12299 MLW

**STATUS AND PROSPECTS OF
SETTLEMENT UPDATE**

COMES NOW, Plaintiff, George Iverson and Defendants, Newport Hotel Group, LLC and Jon E. Cohen, Douglas D. Cohen and Renee Cohen, as Trustees of Hyannis Harborview Resort Condominium Trust, and hereby state:

1. On March 14, 2005, Plaintiff's attorney, Tracie L. Dickerson, Esq. and the Plaintiff's Expert met with Representatives for the Defendants, Defendant's Attorney Leonard Freiman, Esq. and the Defendants' Expert for the purposes of conducting an inspection of the Defendant's property in an effort to identify the ADA alleged barriers and to attempt to resolve the matter.
2. At this time, the Plaintiff's Expert has not provided his report to the Plaintiff's Counsel. Plaintiffs expect the Expert report to be available by June 3, 2005.
3. Counsel for the Plaintiff and Counsel for the Defendant believe that this case will settle in the future, but must wait on the report of the Plaintiff's Expert, which should be provided to the Plaintiff's Counsel shortly.
4. At this time, the parties do not wish to participate in mediation to be conducted by a magistrate judge or attorney on the Court's panel of mediators.

Respectfully Submitted,

Counsel for Plaintiff:

By: /s/ John P. Fuller, Esq.
John P. Fuller, Esq, *pro hac vice*
Fuller, Fuller & Associates, P.A.
12000 Biscayne Blvd., Suite 609
North Miami, FL 33181
FFA@FullerFuller.com
Tel.: (305) 891-5199
Fax: (305) 893-9505

Counsel for Defendants:

By: Leonard H. Freiman *MP*
Leonard H. Freiman, Esq.
BBO.: 560233
Goulston & Storrs
400 Atlantic Avenue
Boston, MA 02110-3333
Lfreiman@goulstonstorss.com
Tel.: (617) 482-1776
Fax: (617) 574-4112
typ 5/31/05

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished to Leonard H. Freiman; Goulston & Storrs; 400 Atlantic Avenue; Boston, MA 02110-3333; (617) 482-1776; (617) 574-4112. On this 31 day of May, 2005.

By: /s/ John P. Fuller, Esq.
John P. Fuller, Esq, *pro hac vice*